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AIR

EMPLOYMENT LAWS IN CANADA

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Complaints or inquiries, depending on the jurisdiction involved, should be addressed to one of the following agencies:

Fair Employment Practices Branch,
Canada Department of Labour,
Sir Wilfrid Laurier Building,
Ottawa, Canada.

Department of Labour,
Parliament Buildings,
Victoria, British Columbia.

Administrator,
The Human Rights Act,
D.509,
Terrace Building,
Edmonton, Alberta.

Labour Standards Branch,
Department of Labour,
2350 Albert Street,
Regina, Saskatchewan.

Employment Standards Division,
Department of Labour, Norquay Building,
Winnipeg, Manitoba.

Ontario Human Rights Commission,
74 Victoria Street,
Toronto 1, Ontario

General Secretary,
Quebec Minimum Wage Commission,
Quebec City,
Quebec.

Director, Labour Relations and
Minimum Wages,
Department of Labour,
Fredericton, N.B.

Director, Labour Standards,
Nova Scotia Department of Labour,
Halifax, N.S.

Deputy Attorney General,
P.E.I.

ROGER DUHAMEL, F.R.S.C.
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Canada Department of Labour

FAIR EMPLOYMENT LAWS IN CANADA . . .

Laws prohibiting discriminatory hiring and employment practices, based on race, colour, religion or national origin, cover most employment within federal jurisdiction and within the jurisdiction of the following eight provinces: British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, and Nova Scotia. Similar ordinances are in effect in the Yukon and Northwest Territories.

These laws stipulate that no employer can refuse to employ, continue to employ, or otherwise discriminate against any person in regard to any term or condition of employment because of that person's race, colour, religion or national origin. Two provinces, British Columbia and Ontario, also forbid employment discrimination on grounds of age, and Quebec also prohibits discrimination in hiring based on sex.

An employer must not make written or oral inquiries, or use application forms, that express directly or indirectly any limitation, specification or preference based on race, colour, religion or national origin. (An exception is where such an inquiry is based on a bona fide occupational qualification.) Other provisions prohibit discriminatory advertising.

The right of membership in a trade union is also protected under these laws: no union may exclude from membership, expel, suspend or otherwise discriminate against any person in regard to his employment because of race, colour, religion or national origin.

Provincial Jurisdiction

Provincial jurisdiction covers all works, businesses and undertakings, within the boundaries of a province, not covered by federal jurisdiction.

Federal Jurisdiction

- Interprovincial or international highway transport, railways, canals and pipelines.
- Interprovincial or international ferries, tunnels and bridges.
- Interprovincial or international telephone, telegraph and cable systems.
- All shipping and services connected with shipping, radio and television broadcasting, air transport, aircraft and aerodromes, and all banks.
- Primary fishing where the fishermen work for wages.
- Uranium mining and processing.
- Grain elevators, flour and feed mills, feed warehouses and seed cleaning mills.
- Certain railways operating solely within a province.
- The Hudson Bay Mining and Smelting Company Limited (at Flin Flon, on the Saskatchewan-Manitoba border).
- The works and undertakings of the British Columbia Telephone Company Limited, and the Yellowknife Telephone Company.
- Most Crown corporations, such as the Canadian National Railways, Air Canada, the Canadian Broadcasting Corporation, and the Polymer Corporation.

Complaints

Any person who decides he has been discriminated against may make a formal complaint in writing to the appropriate authority. If the alleged offence is within federal jurisdiction, the complaint should be made to the Director of the Fair Employment Practices Branch, Canada Department of Labour, Ottawa. A complaint concerning an alleged offence within a provincial jurisdiction should be made to the appropriate address listed on the back cover.

Protection

A person making a complaint is protected from retaliatory action, and there is similar protection for any person who assisted in the initiation or prosecution of the complaint.

Equal Pay For Women

The federal government and all provinces except Newfoundland have passed legislation designed to ensure that female workers are not paid at a lower rate than their male co-workers when their work or duties are identical or substantially identical. The federal law—the Female Employees Equal Pay Act (1956)—and similar provincial laws apply to jurisdictions basically the same as those described above, and provide for similar enforcement procedures.